

श्रम विभाग

आदेश

दिनांक 17 मई, 1985

सं. ओ. वि./अम्बाला/48-85/21697.—चूंकि हरियाणा के राज्यपाल की राय है कि मै. आफिसर इन्चार्ज, सेंट्रल सोयल एण्ड वाटर कन्जरवेशन रिसर्च एण्ड ट्रेनिंग इन्स्टीट्यूट, रिसर्च सेंटर, सैक्टर 27, चण्डीगढ़ (2) सीनियर टेक्नीकल आफिसर, सेंट्रल सोयल एण्ड वाटर कन्जरवेशन रिसर्च एण्ड ट्रेनिंग इन्स्टीट्यूट, रिसर्च फार्म, मन्सा देवी, पो० श्री० मनीमाजरा, जिला अम्बाला, के श्रमिक श्री दयाल सिंह तथा उसके प्रबन्धकों के मध्य इसमें इसके बाद लिखित मामले में कोई औद्योगिक विवाद है ;

और चूंकि हरियाणा के राज्यपाल विवाद को न्यायनिर्णय हेतु निश्चित करना वांछनीय समझते हैं ;

इसलिए, अब, औद्योगिक विवाद अधिनियम, 1947 की धारा 10 की उपधारा (1) के खण्ड (ग) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल इसके द्वारा सरकारी अधिसूचना सं. 3(44)84-3-अम, दिनांक 18 अप्रैल, 1984 द्वारा उक्त अधिनियम की धारा 7 के अधीन गठित श्रम न्यायालय, अम्बाला को विवादग्रस्त या उससे सम्बन्धित नीचे लिखा मामला न्यायनिर्णय के लिये निश्चित करते हैं जो कि उक्त प्रबन्धक तथा श्रमिकों के बीच या तो विवादग्रस्त मामला है या विवाद से सुसंगत अथवा संबंधित मामला है :—

क्या श्री दयाल सिंह की सेवाओं का समापन न्यायोचित तथा ठीक है ? यदि नहीं, तो वह किस राहत का हकदार है ?

DEMAND

1. That I was employed as unskilled worker in Mansa Devi Research Farm and I joined my duties as such on 1st February, 1980.

2. That from the date of my appointment as unskilled worker, I had been performing my duties whole-heartedly and had never given any chance of grievance to my immediate boss. My total service in the Research Farm, Mansa Devi had been without any blot.

3. That my services have been terminated by you from 25th January, 1985 and I was not allowed to join duties in Research Farm from the said date. That while terminating my services, no charge-sheet was served upon me. No enquiry was conducted against me. I was not given any opportunity to explain my position with regard to any charges, the management had manipulated against me. The management also failed to serve upon any show-cause notice intimating the intention of the management to terminate my services from the above mentioned date.

4. That at the time of termination of my services illegally, one month notice was not issued to me. I was also not paid wages in lieu of one month notice. No compensation was paid to me which is admissible to me under section 25-F of the Industrial Dispute Act, 1947. The management also failed to pay me gratuity admissible under the rules.

In view of the position explained above, it is submitted that my services were terminated illegally and I, therefore, demand that I may be taken back in the service with full back wages and continuity in service. I am willing to join service and at the time of my illegal termination from service I was drawing wages nearly about Rs 385 P. M.

Thanking you.

Yours faithfully,

DAYAL SINGH,

Workman,

C/o H. No. 2756, Sector-15,
Panchkula, District Ambala.

Dated 8th February, 1985